

Application No.: 09/891,626
Amendment Dated: February 17, 2006
Reply to Office Action of: November 17, 2005

MTS-3267US

Remarks/Arguments:

Claims 1-11 are presently pending and all pending claims stand rejected. The Abstract, Background of the Invention, and Preferred Embodiments of the Invention are herein amended. No new matter is added by the amendments.

The Examiner indicated that the Abstract is in improper form. Applicant herein amends the Abstract such that it is a single paragraph on a separate sheet with less than 150 words. Thus, Applicant contends that the Abstract is now in proper form. Accordingly, Applicant requests that the objection to the Abstract be withdrawn.

The disclosure was objected to under 37 C.F.R. 1.71. The Office Action indicates that the terms "AV/C command set," "raw access command," "non-raw access commands," "authentication," and "command issuing origin" are not understood. In addition, the Office Action indicates that claims 1-11 are rejected under 35 U.S.C. §112 first and second paragraphs as being indefinite based on the terms "raw access command," "non-raw access commands," "authentication," and "command issuing origin." Applicant respectfully requests that the objection to the specification and the rejections of claims 1-11 be withdrawn based on Applicant's amendments and the following remarks.

With respect to the term "AV/C command set," "AV/C command set" is a well known industry term that refers to an audio/video control command set. Although Applicant believes this to be a well known term, Applicant herein amends the specification to recite "audio/video control" followed by "(AV/C)" the first time "AV/C" is referred to in the specification. Accordingly, Applicant contends that "AV/C command set" is sufficiently described in the disclosure to enable a reasonable search to be performed and, thus, requests that the objection to the disclosure based on this term be withdrawn.

With respect to the terms "raw access commands" and "non-raw access commands," these terms are defined in the specification at page 10, second and third paragraphs, which recite "the access command of the AV/C command set is referred to as a non-raw access command and the command which designates the logical block address (LBA) and accesses the magnetic disk medium in the image and

sound recording and reproduction apparatus 1 is referred to as a raw access command." Thus, a non-raw access command is an AV/C command set command, and a non-raw access command is a command which designates the address and directly accesses the medium in an image and sound recording and reproduction apparatus. Additionally, it is clear from the passage that this is a term that is specifically understood by those skilled in the art and understood with specificity. Accordingly, Applicant contends that the terms "raw access command" and "non-raw access command" are sufficiently described in the disclosure to enable a reasonable search to be performed and as used in the claims would reasonably apprise one of ordinary skill in the art of the scope of the invention. Hence, Applicant requests that the objection to the specification and the rejection of claims based on the terms "raw access command" and "non-raw access command" be withdrawn.

With respect to the term "authentication," page 14, lines 13-17 of the application as originally filed recite that "in the case that the commands sent from the command issuing origin are non-raw access commands, it is determined that there is no need for authentication while in the case of raw access commands, it is determined that the command issuing origin should be authenticated." Further, page 16, lines 15-21, and page 17, lines 19-21, respectively recite "The personal computer 21 is assumed to be a piece of equipment that is not permitted to access the AV data region in the magnetic disk medium of the image and sound recording and reproduction apparatus 1 while the personal computer 3 is assumed to be a piece of equipment that is permitted to access the AV data region of the image and sound recording and reproduction apparatus 1" and "Because the personal computer 21 is not permitted to access the AV data region of the magnetic disk medium, this authentication will not succeed." Thus, authentication is performed by first judging whether or not the command issuing origin should be authenticated based on the received command, and then authenticating that command issuing origin according to the judgment as set forth in claim 1. Additionally, it is clear from the passages that this is a term that is specifically understood by those skilled in the art and understood with specificity. Accordingly, Applicant contends that the term "authentication" is sufficiently described to enable a reasonable search to be performed and as used in the claims would reasonably apprise one of ordinary skill in the art of the scope of the invention. Hence, Applicant requests that the objection to

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the specification and the rejection of the claims based on the term "authentication" be withdrawn.

With respect to the term "command issuing origin," the "command issuing origin" is the device from which a command originates, such as a digital VCR or a personal computer. Although Applicant believes that this is clear, Applicant herein amends the specification to recite "i.e. the command issuing origin" after the reference to the digital VCR 2 or the personal computer 3 in the last paragraph at page 9 of the application as originally filed. Additionally, it is clear from the specification that this is a term that is specifically understood by those skilled in the art and understood with specificity. Accordingly, Applicants contend that the specification describes the term "command issuing origin" in sufficient detail to enable a reasonable search to be performed and that the term "command issuing origin" is used in a manner within the claims that would allow one of ordinary skill in the art to reasonably apprise the scope of the invention. Hence, Applicant requests that the objection to the specification and the rejection of the claims based on the term "command issuing origin" be withdrawn.

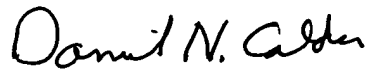
Section 9 of the Office Action recites "[t]he claims are generally narrative and indefinite, failing to conform with current U.S. practice" and that "[t]hey appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors." Applicant contends that the claims conform with current U.S. practice and are sufficiently clear to reasonably apprise one of ordinary skill in the art of the scope of the invention. If there are portions of the claims that are believed not in conformance with current U.S. practice, Applicant respectfully requests that these be identified with specificity. Further, if clarification on any additional terms is needed, Applicant requests that the Examiner contact Applicant's undersigned attorneys.

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In view of the amendments and remarks set forth above, the Applicant contends that the above-identified application is in condition for allowance.

Respectfully submitted,



Daniel N. Calder, Reg. No. 27,424
Stephen J. Weed, Reg. No. 45,202
Attorneys for Applicant

SJW/fp/bj

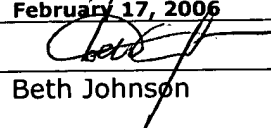
Attachments: Abstract

Dated: February 17, 2006

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

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Beth Johnson

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